

UNITED STATES DISTRICT COURT
for the
District of Montana

United States of America

v.

Nancy Michelle Hartsock

3

CR 23-69-BLG-SPW

Case No.: USMN 63764-510

Date of Original Judgment: 12/19/2023

12/19/2023

2

Date of Previous Amended Judgment: _____

1

(Use Date of Last Amended Judgment if Any)

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of **months is reduced to** .

(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)

Defendant seeks a sentence reduction under the retroactive application to the criminal history rules in Parts A and B, subpart 1 of Amendment 821 to the United States Sentencing Guidelines. (See Doc. 41.) Defendant is ineligible.

Part A limits the overall criminal history impact of “status points” for offenders who committed the instant offense while under a criminal justice sentence. Part B, subpart 1 provides a two-level offense level decrease for offenders who did not receive any criminal history points under Chapter Four and whose instant offense did not involve specific aggravating factors. *See USSG Ret. App. A & B, Sub. 1 Amendment 821 “Reasons for Amendment” (Nov. 1, 2023).*

Defendant was sentenced on December 19, 2023, under the 2023 Guidelines Manual incorporating all guideline amendments, including Parts A and B, subpart 1 of Amendment 821. (PSR ¶ 20 (citing USSG §1B1.11).) Defendant had a total criminal history score of 12 and, consistent with Amendment 821, received one “status point” for committing the instant offense while under a criminal justice sentence. (PSR ¶¶ 40–42.) Accordingly, Defendant’s motion is denied.

Except as otherwise provided, all provisions of the judgment dated 12/19/2023 shall remain in effect.

IT IS SO ORDERED.

Order Date: 05/17/2024

Susan P. Watter
Judge's signature

Effective Date: _____
(if different from order date)